

**ORDINANCE NO. 20090212-045**

**AN ORDINANCE REZONING AND CHANGING THE ZONING MAP FOR THE PROPERTY LOCATED AT 5005 SPICEWOOD SPRINGS ROAD FROM SINGLE FAMILY RESIDENCE STANDARD LOT (SF-2) DISTRICT TO TOWNHOUSE AND CONDOMINIUM RESIDENCE-CONDITIONAL OVERLAY (SF-6-CO) COMBINING DISTRICT.**

**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF AUSTIN:**

**PART 1.** The zoning map established by Section 25-2-191 of the City Code is amended to change the base district from single family residence standard lot (SF-2) district to townhouse and condominium residence-conditional overlay (SF-6-CO) combining district on the property described in Zoning Case No. C14-2008-0128, on file at the Neighborhood Planning and Zoning Department, as follows:

Being 2.37 acres of land, more or less, consisting of a 2.31 acre tract of land and a 0.06 acre tract of land out of the James Coleman Survey No. 25, Abstract No. 169 and the James M. Mitchell Survey No. 17, Abstract No. 521, Travis County, the tracts being more particularly described by metes and bounds in Exhibit "A" incorporated into this ordinance (the "Property"),

locally known as 5005 Spicewood Springs Road, in the City of Austin, Travis County, Texas, and generally identified in the map attached as Exhibit "B".

**PART 2.** The Property within the boundaries of the conditional overlay combining district established by this ordinance is subject to the following conditions:

- A. Development of the Property may not exceed 4 residential units.
- B. An undisturbed vegetative buffer shall be provided beginning at the southeastern point of the Property and continuing along the southern property line in a northwesterly direction for approximately 167 feet ending at the southwest corner of the Property (the "South Boundary"). The undisturbed buffer shall extend from the entire length of the South Boundary northward into the Property for a distance of 500 feet.

Except as specifically restricted under this ordinance, the Property may be developed and used in accordance with the regulations established for the townhouse and condominium resident (SF-6) base district, and other applicable requirements of the City Code.

**PART 3.** This ordinance takes effect on February 23, 2009.

**PASSED AND APPROVED**

February 12, 2009      §  
   §  
   §        
   Will Wynn  
   Mayor

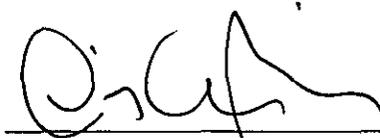
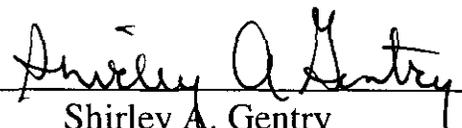
**APPROVED:**  **ATTEST:**   
                                 David Allan Smith      Shirley A. Gentry  
                                 City Attorney      City Clerk

EXHIBIT A

**HOLT CARSON, INC.**  
PROFESSIONAL LAND SURVEYORS

1904 FORTVIEW ROAD  
AUSTIN, TEXAS 78704  
TELEPHONE: (512) 442-0990  
FACSIMILE: (512) 442-1084

FIELD NOTE DESCRIPTION OF 2.31 ACRES OF LAND OUT OF THE JAMES M. MITCHELL SURVEY No. 17 ABSTRACT No. 521 AND THE JAMES COLEMAN SURVEY No. 25 ABSTRACT No. 169 IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN (2.35 ACRE) TRACT OF LAND DESCRIBED AS "FIRST TRACT" AND AS CONVEYED TO MORIN M. SCOTT, TRUSTEE, BY DEED RECORDED IN VOLUME 3627 PAGE 794 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

BEGINNING at a ½" iron pipe found in the East line of Lot 106, Treetops Subdivision, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 96 Page 193 of the Plat Records of Travis County, Texas, and for the Northwest corner of that certain (2.35 acre) tract of land described as "First Tract" and as conveyed to Morin M. Scott, Trustee, by deed recorded in Volume 3627 Page 794 of the Deed Records of Travis County, Texas, and for the Southwest corner of that certain (0.27 acre) tract of land described as "Second Tract" in said deed to Morin M. Scott, Trustee, and being the Northwest corner and **PLACE OF BEGINNING** of the herein described tract, and from which a ½" iron rod found in the present West right-of-way line of Spicewood Springs Road and for the Northwest corner of that certain (0.2128 acre) tract of land as described in Document No. 1999087726 of the Official Public Records of Travis County, Texas, bears N 38 deg. 58'09" E 68.71 ft.;

THENCE with the common line of said Scott (2.35 acre) and (0.27 acre) tracts of land, S 45 deg. 00' 37" E 83.28 ft. to a point of intersection with the present West right-of-way line of Spicewood Springs Road and the West line of said (0.2128 acre) tract for an angle corner of this tract;

THENCE crossing the interior of said Scott (2.35 acre) tract with the present West right-of-way line of Spicewood Springs Road and with the West line of said (0.2128 acre) tract, S 07 deg. 57' 07" E 50.69 ft. to a ½" iron rod found for in the South line of said Scott (2.35 acre) tract and in a Northerly line of that certain Road Easement as recorded in Volume 939 Page 502 of the Deed Records of Travis County, Texas, and a Northerly line of that certain tract of land as conveyed to Laszlo Herczeg and Evelyn Herczeg by deed recorded in Document No. 2000017269 of the Official Public Records of Travis County, Texas, and being the Southeasterly corner of this tract;

end of Page 1

THENCE with the Southerly line of said Scott (2.35 acre) tract, the following nine (9) courses;

- 1) S 31 deg. 32' 24" W 99.32 ft. to a 1/4" iron pipe found;
- 2) S 28 deg. 20' 51" W 90.98 ft. to a 1/4" iron pipe found;
- 3) S 31 deg. 57' 47" W 173.69 ft. to a point;
- 4) S 45 deg. 34' 58" W 91.75 ft. to a 1/2" iron pipe found;
- 5) S 24 deg. 39' 27" W 131.22 ft. to a 1/2" iron pipe found;
- 6) S 38 deg. 10' 05" W 143.49 ft. to a 1/2" iron pipe found;
- 7) S 23 deg. 39' 08" W 74.81 ft. to a 1/2" iron rod found with a plastic cap imprinted with "Carson and Bush Professional Surveyors";
- 8) S 07 deg. 32' 34" E 63.42 ft. to a 1/2" iron pipe found;
- 9) S 44 deg. 45' 05" W 10.33 ft. to a 1/2" iron pipe found for the Southwest corner of said Scott (2.35 acre) tract and being in the Northeast line of Lot 1, Block A, Vista North Section One-A, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 84 Page 11D of the Plat Records of Travis County, Texas, and being the Southwest corner of this tract;

THENCE with the common line of said Scott (2.35 acre) tract and said Lot 1, Block A, Vista North Section One-A, N 32 deg. 59' 03" W 166.65 ft. to a 1/2" iron rod found for the Northwest corner of said Scott (2.35 acre) tract and for the most Northerly corner of said Lot 1, Block A, Vista North Section One-A, and being in the South line of the aforementioned Lot 106, Treetops Subdivision, and being the Northwesterly corner of this tract;

THENCE with the common line of said Scott (2.35 acre) tract and said Lot 106, Treetops Subdivision, the following six (6) courses;

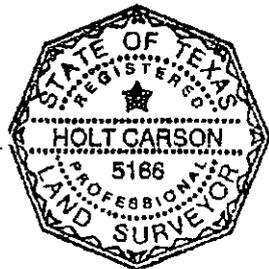
- 1) N 34 deg. 01' 39" E 76.59 ft. to a 1/2" iron pipe found;
- 2) N 29 deg. 14' 45" E 108.76 ft. to a 1/2" iron pipe found;
- 3) N 33 deg. 28' 26" E 141.27 ft. to a 1/2" iron pipe found;
- 4) N 29 deg. 23' 10" E 110.71 ft. to a calculated point at a large fallen cedar tree;
- 5) N 31 deg. 07' 36" E 225.40 ft. to a 5/8" iron pipe found in a rock mound;
- 6) N 34 deg. 52' 35" E 183.74 ft. to the **PLACE OF BEGINNING**, containing 2.31 acres of land.

847  
SURVEYED: September, 2006

*Holt Carson*

Holt Carson

Registered Professional Land Surveyor No. 5166



see accompanying map: A 762124

# HOLT CARSON, INC.

## PROFESSIONAL LAND SURVEYORS

1904 FORTVIEW ROAD  
AUSTIN, TEXAS 78704  
TELEPHONE: (512) 442-0990  
FACSIMILE: (512) 442-1084

FIELD NOTE DESCRIPTION OF 0.06 ACRE OF LAND OUT OF THE JAMES COLEMAN SURVEY No. 25 ABSTRACT No. 169 IN TRAVIS COUNTY, TEXAS, BEING A PORTION OF THAT CERTAIN (0.27 ACRE) TRACT OF LAND DESCRIBED AS "SECOND TRACT" AND AS CONVEYED TO MORIN M. SCOTT, TRUSTEE, BY DEED RECORDED IN VOLUME 3627 PAGE 794 OF THE DEED RECORDS OF TRAVIS COUNTY, TEXAS, AND BEING MORE PARTICULARLY DESCRIBED BY METES AND BOUNDS AS FOLLOWS:

**BEGINNING** at a ½" iron pipe found in the East line of Lot 106, Treetops Subdivision, a subdivision in Travis County, Texas, according to the map or plat thereof recorded in Volume 96 Page 193 of the Plat Records of Travis County, Texas, and for the Northwest corner of that certain (2.35 acre) tract of land described as "First Tract" and as conveyed to Morin M. Scott, Trustee, by deed recorded in Volume 3627 Page 794 of the Deed Records of Travis County, Texas, and for the Southwest corner of that certain (0.27 acre) tract of land described as "Second Tract" in said deed to Morin M. Scott, Trustee, and being the West corner and **PLACE OF BEGINNING** of the herein described tract, and from which a 5/8" iron pipe found in a rock mound in the common line of said Scott (2.35 acre) tract and said Lot 106, Treetops Subdivision, bears S 34 deg. 52' 35" W 183.74 ft.;

THENCE with the common line of said Scott (0.27 acre) tract and said Lot 106, Treetops Subdivision, N 38 deg. 58' 09" E 68.71 ft. to a ½" iron rod found in the present West right-of-way line of Spicewood Springs Road and for the Northwest corner of that certain (0.2128 acre) tract of land as described in Document No. 1999087726 of the Official Public Records of Travis County, Texas, and being the North corner of this tract;

THENCE crossing the interior of said Scott (0.27 acre) tract with the present West right-of-way line of Spicewood Springs Road and with the West line of said (0.2128 acre) tract, S 07 deg. 57' 07" E 113.38 ft. to a point of intersection with the common line of said Scott (2.35 acre) and (0.27 acre) tracts and being the South corner of this tract;

THENCE leaving the present West right-of-way line of Spicewood Springs Road with the common line of said Scott (2.35 acre) and (0.27 acre) tracts, N 45 deg. 00' 37" W 83.28 ft. to the **PLACE OF BEGINNING**, containing 0.06 acre of land.

SURVEYED: September, 2006

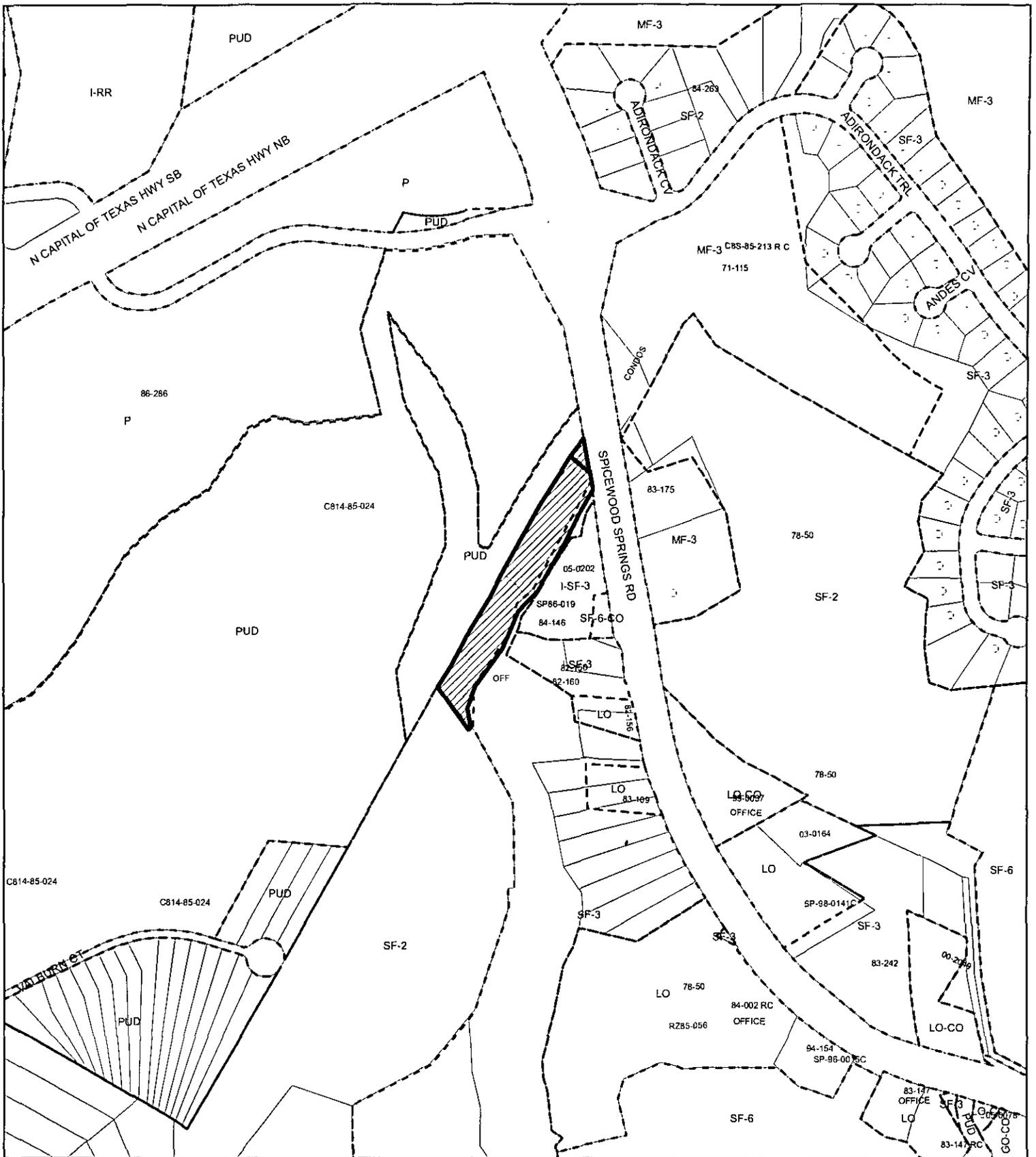


Holt Carson

Registered Professional Land Surveyor No. 5166



see accompanying map: A 762124



ZONING EXHIBIT B

ZONING CASE#: C14-2008-0128  
 ADDRESS: 5005 SPICEWOOD SPRINGS RD  
 SUBJECT AREA: 2.37 ACRES  
 GRID: H31 & H32  
 MANAGER: C. PATTERSON

-  SUBJECT TRACT
-  ZONING BOUNDARY
-  PENDING CASE

OPERATOR: S. MEEKS



1" = 400'

This map has been produced by GIS Services for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.